

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Michael Rossi,

Civil No. 18-3057 (DWF/DTS)

Plaintiff,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

St. Paul Post Office,

Respondent.

The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge David T. Schultz dated January 23, 2019. (Doc. No. 12.) No objections have been filed to that Report and Recommendation in the time period permitted. The factual background for the above-entitled matter is clearly and precisely set forth in the Report and Recommendation and is incorporated by reference. Based upon the Report and Recommendation of the Magistrate Judge and upon all of the files, records, and proceedings herein, the Court now makes and enters the following:

ORDER

1. Magistrate Judge David T. Schultz's January 23, 2019 Report and Recommendation (Doc. No. [12]) is **ADOPTED**.
2. This action is **DISMISSED WITHOUT PREJUDICE** pursuant to Fed. R. Civ. P. 41(b).
3. Defendant's Motion to Dismiss for Lack of Jurisdiction (Doc. No. [4]) is **DENIED AS MOOT**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: February 14, 2019

s/Donovan W. Frank
DONOVAN W. FRANK
United States District Judge